

ORIGINAL

U.S. DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

2020 SEP -9 AM 9:50

DEPUTY CLERK _____

UNITED STATES OF AMERICA

v.

CASE NO. 3:20-CR-183-M

RENE S. RANGEL-MANJARREZ (2)

FACTUAL RESUME

In support of Rene S. Rangel-Manjarrez's plea of guilty to the offenses in Counts One and Two of the Superseding Information, Rangel-Manjarrez, the defendant, Ezekiel Tyson, the defendant's attorney, and the United States of America (the government) stipulate and agree to the following:

ELEMENTS OF THE OFFENSE

To prove the offense alleged in Counts One and Two of the Superseding Information charging a violation of 18 U.S.C. §§ 922(a)(6) and 924(a)(2)), that is, False Statement During Purchase of Firearm, the government must prove each of the following elements beyond a reasonable doubt:¹

- First: That the defendant made a false written statement;
- Second: That the defendant knew the statement was false;
- Third: That the statement was made in connection with the acquisition of a firearm from a licensed firearm dealer;
- Fourth: That the statement was intended or was likely to deceive a licensed

¹ Fifth Circuit Pattern Jury Instruction 2.43B (5th Cir. 2019).

firearm dealer; and

Fifth: That the alleged false statement was material to the lawfulness of the sale or disposition of the firearm.

STIPULATED FACTS

1. Rene S. Rangel-Manjarrez admits that on or about January 31, 2020, in the Southern District of Texas, the defendant, Rene S. Rangel-Manjarrez, in connection with the acquisition of a firearm, to wit: a Barrett rifle, model M82A1, .50 caliber, with serial number AA009613, from the Gun Boss, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to The Gun Boss, which statement was intended and likely to deceive the Gun Boss, as to a fact material to the lawfulness of such sale and acquisition of the said firearm to the defendant under Chapter 44 of Title 18, in that the defendant represented did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, to the effect that that she was the actual buyer of the firearms indicated on the Form 4473, when in fact as the defendant then knew, he was not the actual buyer of the firearm; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

2. Rene S. Rangel-Manjarrez admits that on or about March 13, 2020, in the Southern District of Texas, the defendant, Rene S. Rangel-Manjarrez, in connection with the acquisition of a firearm, to wit: a Barrett rifle, model 82A1, .50 caliber, with with serial number AA009624, from the Gun Boss, a licensed dealer of firearms within the

meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to The Gun Boss, which statement was intended and likely to deceive the Gun Boss, as to a fact material to the lawfulness of such sale and acquisition of the said firearm to the defendant under Chapter 44 of Title 18, in that the defendant represented did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, to the effect that that she was the actual buyer of the firearms indicated on the Form 4473, when in fact as the defendant then knew, he was not the actual buyer of the firearm; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

3. Rene S. Rangel-Manjarrez admits that he purchased firearms from a licensed dealer, the Gun Boss, on behalf of Jose Celbey Hernandez. He admits that they travelled from Brownsville, Texas, to Pleasanton, Texas, to purchase the firearms. He admits that he was recruited by Hernandez to purchase firearms for Hernandez. He admits that Hernandez provided the money to purchase the firearms and paid him for purchasing the firearms and turning them over to Hernandez.

4. For example, he admits that on or about January 31, 2020, he purchased a Barrett rifle, model M82A1, .50 caliber, with serial number AA009613, from the Gun Boss in Pleasanton, Texas. He admits that he stated on the ATF Form 4473 that he was the actual buyer of this firearm, when in fact he was not. He admits that he purchased the firearm on behalf of and for Hernandez.

5. He admits that on or about March 13, 2020, he purchased a Barrett rifle, model 82A1, .50 caliber, with serial number AA009624, from the Gun Boss in

Pleasanton, Texas. He admits that he stated on the ATF Form 4473 that he was the actual buyer of this firearm, when in fact he was not. He admits that he purchased the firearm on behalf of and for Hernandez.

6. He admits that he is not a licensed a firearm dealer. He further stipulates that the Gun Boss is a licensed firearms dealer.

7. The defendant agrees that the defendant committed all the essential elements of the offenses. This factual resume is not intended to be a complete accounting of all the facts and events related to the offenses charged in this case. The limited purpose of this statement of facts is to demonstrate that a factual basis exists to support the defendant's guilty plea to Counts One and Two of the Superseding Information.

AGREED TO AND STIPULATED on this 9 day of September, 2020.

ERIN NEALY COX
UNITED STATES ATTORNEY


RENE S. RANGEL-MANJARREZ
Defendant


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Attorney for Defendant


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